

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

3401. Adulteration and misbranding of honey. U. S. v. 12 Cans of a Food Product Labeled Honey. Decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 3323. I. S. No. 2028-d. S. No. 1217.)

On December 21, 1911, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases, each containing 2 60-pound cans, and 2 cases, each containing 4 36-pound cans of honey, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Excelsior Choice Pure Strained Honey. Guaranteed under the National Pure Food and Drugs Act, June 30, 1906, under Serial No. 14914. Excelsior Honey Company, N. Y."

Adulteration of the product was alleged in the libel for the reason that a certain article, to wit, invert sugar, had been substituted in whole or in part for pure honey in said article of food. Misbranding was alleged for the reason that the labels upon the cans of the article of food, labeled honey, bore a statement regarding such article and the ingredients and substances contained therein which was false and misleading in manner following, to wit: In that said labels upon each of the said several cans bore the statement set forth above and said labels and the statements and inscriptions thereon contained were calculated and adapted to convey the impression and belief that said article of food, labeled honey, was pure honey, whereas, in truth and in fact, the said article of food, labeled honey, was not pure honey, but was a mixture of honey and invert sugar.

On May 13, 1914, the case having come on for hearing and no answer having been filed to the libel, although Max Cohen and William I. Cohen, trading as the Excelsior Honey Co., had appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be sold by the United States marshal and that the costs of the proceedings should be paid by said claimants.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3402. Adulteration and misbranding of honey. U. S. v. 8 Cases * * * Strained Honey. Decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 3475. I. S. No. 13972-d. S. No. 1290.)

On February 27, 1912, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 cases, 4 of which contained 16 36-pound cans, and 4 of which contained 2 60-pound cans of honey, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped on or about February 19, 1912, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.